

REMARKS

In the final Office Action, the Examiner rejected claims 1-4, 6-19, and 21 under 35 U.S.C. § 103(a) as unpatentable over Ball et al. (U.S. Patent No. 6,600,736) in view of Kallas et al. (U.S. Patent No. 6,778,653). The Examiner objected to claims 22-25 as dependent upon a rejected base claim, but would be allowable if rewritten to include the features of the base claim and any intervening claims.

By this Amendment, Applicants propose amending claims 1 and 11 to improve form and propose adding new claim 26. Applicants appreciate the Examiner's identification of allowable subject matter, but respectfully traverse the rejection under 35 U.S.C. § 103. Claims 1-4, 6-19, and 21-26 will be pending upon entry of this Amendment.

At pages 2-9 of the final Office Action, the Examiner rejected claims 1-4, 6-19, and 21 under 35 U.S.C. § 103(a) as allegedly unpatentable over Ball et al. in view of Kallas et al. Applicants respectfully traverse the rejection.

Amended independent claim 1 is directed to a method of preserving state information for applications over a telephone interface using a voice application computer. The method, performed by the voice application computer, comprises receiving a call over the telephone interface; identifying a user profile of a plurality of user profiles stored by the voice application computer based on telephone identifying information associated with the call; identifying state information associated with the user profile, the state information comprising a plurality of cookies retrieved from other computers over a web interface and resulting from at least one telephone session, the voice application computer storing the user profile and the state information associated with the user profile; storing policies to control accessing of the plurality

of cookies and storing of new cookies; automatically and selectively providing, by the voice application computer, a subset of the plurality of cookies to an application based on the policies; and storing a new cookie with the plurality of cookies based on the policies.

Neither Ball et al., nor Kallas et al., whether taken alone or in any reasonable combination, discloses or suggests the combination of features recited in claim 1. For example, Ball et al. and Kallas et al. do not disclose or suggest identifying a user profile of a plurality of user profiles stored by a voice application computer based on telephone identifying information associated with a received call.

The Examiner alleged that Ball et al. discloses identifying a user profile over a telephone interface using a voice application computer and telephone identifying information, and cited the Abstract, column 1, lines 15-53, Figure 1, and column 4, lines 5-9, of Ball et al. for support (final Office Action, page 2). Regardless of the accuracy of the Examiner's allegation, Applicants submit that Ball et al. does not disclose or suggest identifying a user profile of a plurality of user profiles stored by the voice application computer based on telephone identifying information associated with a received call, as required by claim 1.

The Abstract of Ball et al. discloses:

Interactive voice response (IVR) services are provided to an end user at a telephone terminal (201) connected to the PSTN (202) through a telephone/IP server (205) that serves as an interface between the PSTN and an IP network (204) such as the Internet. A first IVR service is provided by a web server (203) running a service logic (207) for that service, which produces pages formatted in a phone markup language (PML) in response to an HTTP request sent over the IP network by the telephone/IP server to the web server at the URL address associated with the service. Hyperlinks to a second IVR service offered on a web server (208) at a different URL address are embedded and associated with a specific question or statement in a PML-formatted page produced by the first service. When the end user affirmatively responds to that statement or question through a verbal or touch-tone input, the telephone/IP server translates that response as a "click" on the hyperlink and establishes a virtual connection to the hyperlinked URL address of the web server providing the second service. Further, information associated with the end

user's interaction with the first service, such as his identity, PIN, and/or zip code, is transferred to the second service by means of a cookie, URL encoding or other information transference mechanism, to provide an audio experience that seamlessly transfers the end user from the first service to the second.

In this section, Ball et al. discloses a first IVR service that is provided in response to an HTTP request sent over an IP network by a telephone/IP server. Nowhere in this section does Ball et al. disclose or suggest a user profile or telephone identifying information, let alone identifying a user profile of a plurality of user profiles stored by the voice application computer based on telephone identifying information associated with a received call, as required by claim 1.

At column 1, lines 15-53, Ball et al. discloses that in a traditional IVR system, an end user places a call to the IVR system and identifies himself by name and/or the input of an ID or PIN code through touch-tone or voice. Nowhere in this section does Ball et al. disclose or suggest identifying a user profile of a plurality of user profiles stored by the voice application computer based on telephone identifying information associated with a received call, as required by claim 1.

With regard to Figure 1, at column 4, lines 5-9, Ball et al. discloses:

Upon answering the incoming telephone call, telephone/IP server 105, running interpreter 106, uses the called number to access a URL from its database (not shown) that identifies the first dialog in the service associated with that called number.

In this section, Ball et al. discloses that telephone/IP server 105 uses a called number to access a URL from its database that identifies the service associated with that called number. Contrary to the Examiner's allegation, the service described by Ball et al. is not equivalent to a user profile. Applicants define a user profile in Applicants' original specification as a collection of information about a particular user (page 9, line 5). Therefore, the disclosure in Ball et al. that a called number is used to access a URL from a database cannot be equated to identifying a user

profile of a plurality of user profiles stored by the voice application computer based on telephone identifying information associated with a received call, as required by claim 1.

Kallas et al. also does not disclose or suggest a user profile, let alone identifying a user profile of a plurality of user profiles stored by the voice application computer based on telephone identifying information associated with a received call, as required by claim 1.

The Examiner further alleged that:

[the] abstract of Ball discloses Interactive voice response services, which are provided to an end user at a telephone terminal through a telephone/IP server. The user's interaction with the service is through the transfer of his identity, PIN, and/or zip by means of cookies. In this case, the information in the cookies is interpreted as a user profile as claimed.

(final Office Action, pages 9-10). Applicants respectfully submit that even if a cookie could reasonably be construed as a user profile (a point that Applicants do not concede), as alleged by the Examiner, Ball et al. and Kallas et al. still would not disclose or suggest the features recited in claim 1. For example, Ball et al. and Kallas et al. do not disclose or suggest identifying a cookie of a plurality of cookies stored by a voice application computer based on telephone identifying information associated with a received call, as would be required by claim 1 under the Examiner's allegation. Further, Ball et al. and Kallas et al. do not disclose or suggest identifying cookies (which the Examiner equated to state information) associated with a cookie (which the Examiner construed as a user profile), as would also be required by claim 1 under the Examiner's allegation.

Ball et al. and Kallas et al. also do not disclose or suggest identifying state information associated with the user profile, the state information comprising a plurality of cookies retrieved from other computers over a web interface and resulting from at least one telephone session, the voice application computer storing the user profile and the state information associated with the

user profile, as further recited in claim 1. The Examiner alleged that Ball et al. discloses these features and cited the Abstract, column 4, line 65 - column 5, line 29, and column 9, line 33 - column 10, line 15, of Ball et al. for support (final Office Action, page 3). Applicants disagree.

The Abstract of Ball et al. is reproduced above. In this section, Ball et al. discloses a first IVR service that is provided in response to an HTTP request sent over an IP network by a telephone/IP server. Nowhere in this section does Ball et al. disclose or suggest state information comprising a plurality of cookies retrieved from other computers over a web interface and resulting from at least one telephone session, let alone identifying state information associated with the user profile, the state information comprising a plurality of cookies retrieved from other computers over a web interface and resulting from at least one telephone session, the voice application computer storing the user profile and the state information associated with the user profile, as required by claim 1. Instead, Ball et al. discloses information associated with an end user's interaction with a first service that is sent to a second service in the form of a cookie.

At column 4, line 65 - column 5, line 29, Ball et al. discloses a transfer capability that is provided to enable an end user who is connected via his telephone set to a first web-based IVR service to transfer to a second separately configured web-based IVR service without placing an additional telephone call, and wherein information associated with the end user's transaction with the first service is transferred to the second service in the form of a cookie. Nowhere in this section does Ball et al. disclose or suggest state information comprising a plurality of cookies retrieved from other computers over a web interface and resulting from at least one telephone session, let alone identifying state information associated with the user profile, the state information comprising a plurality of cookies retrieved from other computers over a web

interface and resulting from at least one telephone session, the voice application computer storing the user profile and the state information associated with the user profile, as required by claim 1.

At column 9, line 33 - column 10, line 15, Ball et al. discloses that a cookie can be used to transfer relevant information from a first IVR service to a second IVR service. Nowhere in this section does Ball et al. disclose or suggest state information comprising a plurality of cookies retrieved from other computers over a web interface and resulting from at least one telephone session, let alone identifying state information associated with the user profile, the state information comprising a plurality of cookies retrieved from other computers over a web interface and resulting from at least one telephone session, the voice application computer storing the user profile and the state information associated with the user profile, as required by claim 1.

Kallas et al. also does not disclose or suggest identifying state information associated with the user profile, the state information comprising a plurality of cookies retrieved from other computers over a web interface and resulting from at least one telephone session, the voice application computer storing the user profile and the state information associated with the user profile, as required by claim 1.

The Examiner further alleged that:

the abstract of Kallas discloses telephony cookies being created between a calling terminal and a called terminal. The telephony cookie may include identifiers of the calling terminal and other information such as date and time the cookie was created, expiration data and time of the cookie, and a data field that can store other types of information relating to the telephony sessions.

(final Office Action, page 10). Regardless of the Examiner's allegation, the Examiner has not established that Kallas et al. discloses or suggests identifying state information associated with a

user profile, where the state information comprises a plurality of cookies retrieved from other computers over a web interface and resulting from at least one telephone session, the voice application computer storing the user profile and the state information associated with the user profile, as required by claim 1.

For at least these reasons, Applicants submit that claim 1 is patentable over Ball et al. and Kallas et al., whether taken alone or in any reasonable combination. Claims 2-4, 6-10, and 21 depend from claim 1 and are, therefore, patentable over Ball et al. and Kallas et al. for at least the reasons given with regard to claim 1.

Independent claims 11, 14, and 15 recite features similar to, but possibly different in scope from, features recited in claim 1. Claims 11, 14, and 15 are, therefore, patentable over Ball et al. and Kallas et al., whether taken alone or in any reasonable combination, for at least reasons similar to reasons given with regard to claim 1. Claims 12 and 13 depend from claim 11 and claims 16-19 depend from claim 15. Claims 12, 13, and 16-19 are, therefore, patentable over Ball et al. and Kallas et al. for at least the reasons given with regard to claims 11 and 15.

New independent claim 26 is directed to a method performed by a voice application computer that includes a telephone interface and a web interface. The method comprises storing, by the voice application computer, a plurality of user profiles and a plurality of cookies retrieved from one or more other computers over the web interface and resulting from at least one telephone session; receiving a call over the telephone interface, the call causing a telephone session to be established with an application; identifying one of the user profiles based on telephone identifying information associated with the call; identifying a group of the cookies corresponding to the identified user profile; and automatically and selectively providing, by the

voice application computer, a subset of the group of cookies to the application for the telephone session.

Neither Ball et al. nor Kallas et al., whether taken alone or in any reasonable combination, discloses or suggests the combination of features recited in claim 26. For example, Ball et al. and Kallas et al. do not disclose or suggest storing, by a voice application computer, a plurality of user profiles and a plurality of cookies retrieved from one or more other computers over the web interface and resulting from at least one telephone session.

Ball et al. discloses a cookie that can be transferred from a first web-based IVR service to a second web-based IVR service (col. 4, line 64 - col. 5, line 3). Ball et al. does not disclose or remotely suggest storing, by a voice application computer, a plurality of user profiles and a plurality of cookies retrieved from one or more other computers over the web interface and resulting from at least one telephone session, as required by claim 26.

Kallas et al. discloses a telephony cookie that is stored by a client system (col. 6, lines 57-60). Kallas et al. does not disclose or suggest storing, by a voice application computer, a plurality of user profiles and a plurality of cookies retrieved from one or more other computers over the web interface and resulting from at least one telephone session, as required by claim 26.

For at least these reasons and reasons similar to reasons given with regard to independent claim 1, Applicants submit that claim 26 is patentable over Ball et al. and Kallas et al., whether taken alone or in any reasonable combination.

In view of the foregoing amendments and remarks, Applicants respectfully request the reconsideration of the outstanding rejections and allowance of the pending claims.

As Applicants' remarks with respect to the Examiner's rejections overcome the rejections, Applicants' silence as to certain assertions by the Examiner in the Office Action or certain requirements that may be applicable to such rejections (e.g., whether a reference constitutes prior art, motivation to combine references, etc.) is not a concession by Applicants that such assertions are accurate or such requirements have been met, and Applicants reserve the right to dispute these assertions/requirements in the future.

If the Examiner does not believe that all pending claims are now in condition for allowance, the Examiner is urged to contact the undersigned to expedite prosecution of this application.

Applicants respectfully request that this Amendment under 37 C.F.R. § 1.116 be entered by the Examiner, placing claims 1-4, 6-19, and 21-26 in condition for allowance. Applicants submit that the proposed amendments do not raise new issues or necessitate the undertaking of any additional search of the art by the Examiner, since all of the elements and their relationships claimed were either earlier claimed or implied in the claims as examined. Therefore, this Amendment should allow for immediate action by the Examiner. Further, Applicants submit that the entry of this Amendment would place the application in better form for appeal, should the Examiner dispute the patentability of the pending claims.

PATENT
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To the extent necessary, a petition for an extension of time under 37 C.F.R. § 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 50-1070 and please credit any excess fees to such deposit account.

Respectfully submitted,
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